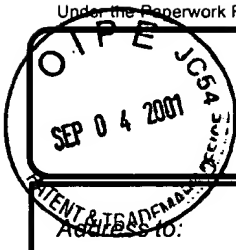


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Linda  
9/19/01



# **CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL**

Submit an original, and a duplicate for fee processing.  
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable:  
☐ DUPLICATE

Address to:

**Assistant Commissioner for Patents  
Box CPA  
Washington, DC 20231**

Attorney Docket No. of Prior Application	OMRF 143 CIP(2)
First Named Inventor	Eugen Koren
Examiner Name	P. Duffy
Group Art Unit	1645
Express Mail Label No.	EL 717 749 622 US

This is a request for a ☐ continuation or ☐ divisional application under 37 CFR 1.53(d), (continued prosecution application (CPA)) of prior application number 08 / 765,324 ✓, filed on 12/24/96, entitled Antibodies to Lipoproteins and Apolipoproteins and Methods of Use

## **NOTES**

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

- ☐ Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 CFR 1.116 in the prior nonprovisional application.
- ☒ A preliminary amendment is enclosed.
- This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:  
.....
  - ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
- Information Disclosure Statement (IDS) is enclosed: 09/06/2001 GTEFFERA 00000084 501868 08765324
  - ☐ PTO-1449 01 FC:131 710.00 CH
  - ☐ Copies of IDS Citations

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.16(c) or (i))		4 8 -20* =	0	x \$ _____ =	\$ -0-
INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))		1 -3** =	0	x \$ _____ =	-0-
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))				+ \$ 270.00 =	
				BASIC FEE (37 CFR 1.16)	710.00
				Total of above Calculations =	710.00
Reduction by 50% for filing by small entity (Note 37 CFR 1.27).					
* Reissue claims in excess of 20 and over original patent. ** Reissue independent claims over original patent.					TOTAL = 710.00

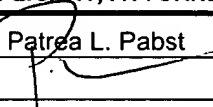
6. ☐ Small entity status: Applicant claims small entity status. See 37 CFR 1.27.
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 50 - 1868:
- a. ☒ Fees required under 37 CFR 1.16.
- b. ☒ Fees required under 37 CFR 1.17.
- c. ☐ Fees required under 37 CFR 1.18.
8. ☐ A check in the amount of \$ \_\_\_\_\_ is enclosed.
9. ☐ Payment by credit card. Form PTO-2038 is attached.
10. ☐ Applicant requests suspension of action under 37 CFR 1.103(b) (fee under 37 CFR 1.17(i) enclosed).
11. ☐ New Attorney Docket Number, if desired \_\_\_\_\_  
[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]
12. a. ☐ Receipt For Facsimile Transmitted CPA (PTO/SB/29A)
- b. ☒ Return Receipt Postcard (Should be specifically itemized, See MPEP 503)
13. ☐ Other: \_\_\_\_\_

**NOTE:** The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

**14. NEW CORRESPONDENCE ADDRESS**

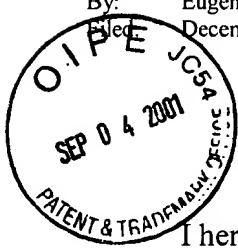
<input type="checkbox"/> Customer Number or Bar Code Label <div style="border: 1px dashed black; width: 200px; height: 40px; margin: 10px auto;"></div> (Insert Customer No. or Attach bar code label here)						or <input type="checkbox"/> New correspondence address below					
Name		Patrea L. Pabst									
		HOLLAND & KNIGHT LLP									
Address		One Atlantic Center									
		1201 West Peachtree Street, Suite 2000									
City	Atlanta	State	GA	Zip Code	30309-3450						
Country	United States	Telephone	(404) 817-8473			Fax	(404) 817-8588				

**15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print IType)	Patrea L. Pabst
Signature	
Registration No. (Attorney/Agent)	31,284
Date	September 4, 2001


Title: "ANTIBODIES TO LIPOPROTEINS AND APOLIPOPROTEINS  
AND METHODS OF USE THEREOF"

By: Eugen Koren and Mirna Koscec  
December 24, 1996



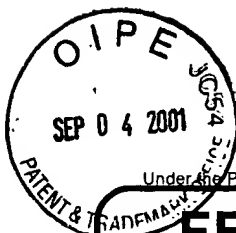
CERTIFICATE OF MAILING UNDER 37 CFR §1.10

I hereby certify that this Request for filing a Continued Prosecution Application, and any documents referred to as attached therein, are being deposited with the United States Postal Service on this date, September 4, 2001, in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10, Mailing Label Number EL 717 749 622 US, addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

  
\_\_\_\_\_  
Jean Hicks

Date: September 4, 2001

ATL1 #481288 v1



09-05-01

PTO/SB/17 (02/00)

Approved for use through 10/31/2002. OMB 0657-0002  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL  
for FY 2001**

Patent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT (\$)** 1,600.00**Complete if Known**

Application Number	08/765,324
Filing Date	December 24, 1996
First Named Inventor	Eugen Koren
Examiner Name	P. Duffy
Group Art Unit	1645
Attorney Docket No.	OMRF 143 CIP(2)

FES  
SEP 16 2001

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<b>METHOD OF PAYMENT (check one)</b>		<b>FEE CALCULATION (continued)</b>	
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: Deposit Account Number: 50-1868 Deposit Account Name: Holland & Knight LLP <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		<b>3. ADDITIONAL FEES</b> Large Entity Small Entity Fee Fee Fee Fee Code (\$) Code (\$) Fee Description Fee Paid	
2. <input type="checkbox"/> Payment Enclosed: <input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other		105 130 205 65 Surcharge - late filing fee or oath	
<b>FEE CALCULATION</b>		127 50 227 25 Surcharge - late provisional filing fee or cover sheet	
<b>1. BASIC FILING FEE</b> Large Entity Small Entity Fee Fee Fee Fee Code (\$) Code (\$) Fee Description Fee Paid		139 130 139 130 Non-English specification	
101 710 201 355 Utility filing fee 710.00		147 2,520 147 2,520 For filing a request for <i>ex parte</i> reexamination	
106 320 206 160 Design filing fee		112 920* 112 920* Requesting publication of SIR prior to Examiner action	
107 490 207 245 Plant filing fee		113 1,840* 113 1,840* Requesting publication of SIR after Examiner action	
108 710 208 355 Reissue filing fee		115 110 215 55 Extension for reply within first month	
114 150 214 75 Provisional filing fee		116 390 216 195 Extension for reply within second month	
SUBTOTAL (1) (\$) 710.00		117 890 217 445 Extension for reply within third month 890.00	
<b>2. EXTRA CLAIM FEES</b>		118 1,390 218 695 Extension for reply within fourth month	
Total Claims 3 -20 = 0 x 0 = 0		128 1,890 228 945 Extension for reply within fifth month	
Independent Claims 1 -3 = 0 x 0 = 0		119 310 219 155 Notice of Appeal	
Multiple Dependent		120 310 220 155 Filing a brief in support of an appeal	
Large Entity Small Entity Fee Fee Fee Fee Code (\$) Code (\$) Fee Description Fee Paid		121 270 221 135 Request for oral hearing	
103 18 203 9 Claims in excess of 20		138 1,510 138 1,510 Petition to institute a public use proceeding	
102 80 202 40 Independent claims in excess of 3		140 110 240 55 Petition to revive - unavoidable	
104 270 204 135 Multiple dependent claim, if not paid		141 1,240 241 620 Petition to revive - unintentional	
109 80 209 40 ** Reissue independent claims over original patent		142 1,240 242 620 Utility issue fee (or reissue)	
110 18 210 9 ** Reissue claims in excess of 20 and over original patent		143 440 243 220 Design issue fee	
SUBTOTAL (2) (\$) -0-		144 600 244 300 Plant issue fee	
		122 130 122 130 Petitions to the Commissioner	
		123 50 123 50 Petitions related to provisional applications	
		126 240 126 240 Submission of Information Disclosure Stmt	
		581 40 581 40 Recording each patent assignment per property (times number of properties)	
		146 710 246 355 Filing a submission after final rejection (37 CFR § 1.129(a))	
		149 710 249 355 For each additional invention to be examined (37 CFR § 1.129(b))	
		179 279 355 Request for Continued Examination (RCE)	
		169 900 169 900 Request for expedited examination of a design application	
		Other fee (specify) _____	
		SUBTOTAL (3) (\$) 890.00	
		* Reduced by Basic Filing Fee Paid	

<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>	
Name (Print/Type)	Patrea L. Pabs	Registration No. (Attorney/Agent)	31,284
Signature		Telephone	404-817-8473
		Date	September 4, 2001

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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.